IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

| LISHAY | LAVI, | NOACH | I NEV | VMAN, | ADIN | GESS, |
|---------------|---------------|----------|-------|-------|-------------|-------|
| MAYA | PARIZE | R, NAT | ALIE | SANA | NDAJI, | YONI |
| DILLER | , HAGA | R ALM | OG, I | DAVID | BROM | BERG, |
| LIOR BA | AR OR, a | and ARIE | LEIN | -GAL, | | |

-----X

Plaintiffs.

Civil Case No. 24-cv-00312 (RGA)

-against-

UNRWA USA NATIONAL COMMITTEE, INC.,

Defendant.

MOTION TO DISMISS OF DEFENDANT UNRWA USA NATIONAL COMMITTEE, INC. PURSUANT TO FED. R. CIV. P. 12(b)(6) and FED R. CIV. P 12(b)(1)

Defendant UNRWA USA National Committee, Inc. hereby moves to dismiss the Complaint (D.I. 1) in the above action pursuant to Rule 12(b)(6) of the Federal Rule of Civil Procedure for failure to state a claim and pursuant to Rule 12(b)(1) for lack of subject matter jurisdiction. The grounds for this motion are fully set forth in the accompanying opening brief in support.

Dated: May 28, 2024

Maria LaHood (admitted *pro hac vice*) Diala Shamas (admitted *pro hac vice*) Judith Brown Chomsky (admitted *pro hac vice*) Beth Stephens (admitted *pro hac vice*) CENTER FOR CONSTITUTIONAL RIGHTS 666 Broadway, 7th Floor New York, NY 10012 (212) 614-6430 mlahood@ccrjustice.org

Luna Droubi (admitted *pro hac vice*) BELDOCK LEVINE & HOFFMAN LLP 99 Park Ave., PH/26th Floor New York, NY 10016

/s/ Joseph E. Brenner____

Michael C. Heyden, Jr. (#5616) Joseph E. Brenner (#6643) GORDON REES SCULLY MANSUKHANI, LLP 824 N. Market St., Suite 220 Wilmington, DE 19801 (302) 992-8955 mheyden@grsm.com jbrenner@grsm.com

Joseph Pace (admitted pro hac vice) J. PACE LAW PLLC 30 Wall St, 8th Floor

New York, NY 10005

Attorneys for Defendant UNRWA USA National Committee, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2024, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on May 28, 2024, upon the following in the manner indicated:

David L. Finger Finger & Slanina LLC One Commerce Center 1201 North Orange Street, 7th Floor Wilmington, DE 19801-1186 (302) 573-2525 Fax: (302) 573-2524

Email: dfinger@delawgroup.com *Attorneys for Plaintiff*

David I. Schoen Email: schoenlawfirm@gmail.com Attorneys for Plaintiff VIA ELECTRONIC MAIL

VIA ELECTRONIC MAIL

/s/ Michael C. Heyden, Jr.
Michael C. Heyden, Jr. (#5616)